



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/475,448	12/30/1999	David Johnston LYNCH	RCA-89-385	6337

24498 7590 08/09/2007
JOSEPH J. LAKS, VICE PRESIDENT
THOMSON LICENSING LLC
PATENT OPERATIONS
PO BOX 5312
PRINCETON, NJ 08543-5312

EXAMINER

SHANG, ANNAN Q

ART UNIT	PAPER NUMBER
----------	--------------

2623

MAIL DATE	DELIVERY MODE
-----------	---------------

08/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/475,448

Applicant(s)

LYNCH, DAVID JOHNSTON

Examiner

Annan Q. Shang

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 10, 11, 13, 21, 23-25, 27 and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by **Abecassis (6,091,886)**.

As to claim 10, **Abecassis** discloses video viewing responsive to content and time restrictions and further discloses a system comprising:

A video signal processor (Subscriber Video System 'SVS' 721/722/723) for producing an output signal suitable for coupling to a display device (741) to produce a plurality of images for display to at least one viewer (figs.4, 7, col.5, line 59-col.6, line 47 and col.19, lines 31-53);

A supervisor control system (SVS 721/722/723) operable by a supervisor to create at least one viewer profile identifying programs to be blocked from display to the at least one viewer (figs.8-9, col.5, line 59-col.6, line 47, col.19, line 54-col.20, line 27, col.21, line 34-col.22, line 11);

The supervisor control system operable by the supervisor to select a specific program having a rating above a set rating for blocking programs applicable to the viewer profile such that the select program is unblocked for the duration of the program while the other of the plurality of images for display are blocked according to the viewer profile, whereby upon completion of the selected specific program, the supervisor control system identifies programs to be blocked according to the at least one viewer profile (col.19, line 54-col.20, line 27, col.21, line 34-col.22, line 61, line 66-col.23, line 44 and col.24, line 55-col.25, line 8).

As to claim 11, Abecassis further discloses the images correspond to programs and the viewer profile identifies programs to be blocked from display to the at least one viewer (col.21, line 34-col.22, line 61, line 66-col.23, line 44).

As to claim 13, Abecassis further discloses where the viewer profile identifies at least one time period during which all images are to be blocked from display to the viewer (col.21, line 34-col.22, line 61, line 66-col.23, line 44).

As to claim 21, Abecassis further discloses the supervisor control system 20 for producing an output signal includes at least one item selected from the group comprising: television receiver, STB, VCR tuner (col.19, line 54-col.20, line 27 and line 57-col.21, line 19).

As to claim 23, **Abecassis** further discloses a video signal processing system for producing an output signal suitable for coupling to a display device to produce images to be displayed to at least one viewer, a method for blocking viewing by at least one viewer comprising the steps of:

Creating a viewer profile (SVS 721/722/723) identifying images to be blocked for a corresponding viewer (figs.4, 7, col.5, line 59-col.6, line 47 and col.19, lines 31-53);

Selecting a program (SVS 721/722/723) having a rating above a set rating for blocking programs to be applied to the viewer profile so as to allow the corresponding viewer to view the selected program for the duration of the program (figs.8-9, col.5, line 59-col.6, line 47, col.19, line 54-col.20, line 27, col.21, line 34-col.22, line 11);

Monitoring blocking of the other of said images to be displayed according to the viewer profile; and monitoring blocking of viewer of all images according to the viewer profile upon completion of said selected program (col.19, line 54-col.20, line 27, col.21, line 34-col.22, line 61, line 66-col.23, line 44 and col.24, line 55-col.25, line 8).

Claim 27 is met as previously discussed with respect to claim 11.

Claim 29 is met as previously discussed with respect to claim 13.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 12, 14-17, 19, 24-26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Abecassis (6,091,886)** as discussed above with respect to claims 10 and 23, and in view of **Collings (5828402)**.

As to claim 12, Abecassis further discloses where the images correspond to channels, but fails to explicitly teach where the viewer profile identifies channels to be blocked from display to at least one viewer.

However, **Collings** discloses a method and apparatus for selectively blocking audio and video signals and further teaches blocking channel(s) (figs.1, 2, 5, col.2, line 66-col.3, line 16, line 45-col.4, line 8, col.17, lines 20-32 and col.19, line 41-col.20, line 6).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Collings into the system of Abecassis to block undesirable channel(s) and prevent the user from accessing the blocked channel(s).

As to claims 14-17, Abecassis fails to explicitly teach where an override list is formed including a selection of a plurality of programs having a rating above a set rating for blocking programs applicable to the viewer profile by a user and the override list is applicable to at least one corresponding viewer profile such that at least one image to be blocked according to the viewer profile is unblocked and at least one other image not blocked according to the viewer profile is blocked.

However, in an analogous art Collings further teaches where an override list is formed including a selection of a plurality of programs having a rating above a set rating for blocking programs applicable to the viewer profile by a user and the override list is applicable to at least one corresponding viewer profile such that at least one image to be blocked according to the viewer profile is unblocked and at least one other image not

blocked according to the viewer profile is blocked, applied to at least one viewer profile(s), for a period of time specified by the supervisor and override list includes at least one override selected from the group comprising at least one channel override, at least one time period blocking override, at least one rating blocking override, at least one program (Col.17, lines 1-32 and Figures 5B and Figure 5H).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Collings into the system of Abecassis for the purpose of allowing a parent to unblock previously blocked program(s) and furthermore to enable the parent to have additional control (e.g. time of viewing, etc.,) of the program being received.

As to claims 19 and 22, Abecassis fails to teach teaches the control system 20 operable by the supervisor to create a plurality of override lists and display to a viewer a blocking status based upon the override list applicable to the at least one viewer profile.

However, in an analogous art Collings teaches the control system 20 operable by the supervisor to create a plurality of override lists (more than one feature) applicable to the at least one viewer profile and displaying to a viewer a blocking status based upon the override list (Column 17, lines 20-32; Figure 5B).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Collings into the system of Abecassis for the purpose of allowing a parent to unblock previously blocked program(s).

Claims 24-26 are met as previously discussed with respect to claims 14-17.

Claim 28 is met as previously discussed with respect to claim 12.

5. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Abecassis (6,091,886)** as applied to claim 10 above, and in view of **West et al. (5,550,575)**.

As to claim 20, Abecassis fails to teach where the control system is operable by the supervisor to create a plurality of override lists applicable to a plurality of viewer profiles.

However, in an analogous art **West** teaches said control system is operable by said supervisor to create a plurality of override lists applicable to a plurality of viewer profiles (Column 5 lines 30-40 teaches multiple user profiles each having there own levels of censorship, Also Column 7, lines 29-40 and Column 14, lines 16-37).

Therefore it would have been obvious for one skilled in the art to incorporate the teaching of West into the system of Abecassis for the purpose of allowing the parent to specify the level of viewing for each member of a household that has different age groups.

6. Claims 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Abecassis (6,091,886)** in view of **Collings (5828402)** as applied to claim 14 above, and further in view of **Sullivan et al. (2004/0040034)**.

As to claim 18, Abecassis as modified by Collings, fail to teach at least one list is applicable to a plurality of viewer profiles.

However, in an analogous art **Sullivan** teaches wherein said at least one list is applicable to a plurality of viewer profiles (§§0036] teaches an age group of children can have different parental controls of other age groups. The individual children in the age group have a common profile of being a certain age and the same parental control settings/list apply to all the children with the age profile).

Therefore it would have been obvious for one skilled in the art to incorporate the teaching of Sullivan into the system of Abecassis as modified by Collings for the purpose of being able to easily modify the parental control settings for a group that are always the same.

Response to Arguments

7. Applicant's arguments with respect to claims 1029 have been considered but are moot in view of the new ground(s) of rejection. The amendment to the claims necessitated the new ground(s) of rejection discussed above. **This office action made final.**

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Abecassis (6,038,367) discloses playing a video responsive to a comparison of two sets of content preferences.

Art Unit: 2623

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

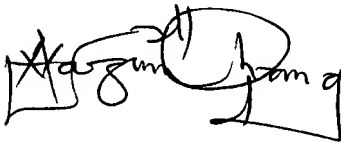
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC) at 866-217-9197 (toll-free)**. If you would like assistance from a **USPTO Customer Service Representative** or access to the automated information system, call **800-786-9199 (IN USA OR CANADA) or 571-272-1000**.

A handwritten signature in black ink, appearing to read 'Annan Q. Shang', written over a rectangular box.

Annan Q. Shang